App F IX 4

Previous References
S D / C 56-47 (3,4,7,8, 9,10)

1948-49 (ML)

File No 89-48
Serial Nos 3, 4

Later References
ML 94-50-(3,4)
ML 94-50-6

GENERAL AND REVENUE SECRETARIAT

P 17 (E)

rial Nos Two

Part B for Jan-49

SUBJECT

Abolition of the ML tolls on Lorries ~~Carrying~~ (through private) carrying food grains belonging to Govt

To
The Secy The Shimoga Dist Lorry Owners' Association, Shimoga

No L 7415/D 6-1-49

States that the D.C Shimoga Dt has issued instructions to discontinue the levy of ML toll on such lorries

1) Sulad No such representation seems to have been received in this Branch This may be sent to the Food Supply Sect for favour of furnishing any papers if any dealt with in that Matter in their Branch

43/2/48 2) For favour of compliance if there are any papers in to subject

3) Letter dated 20-8-47 from the Secy of the Assn has not been received in this Branch while his letters dated 9-8-47 and 22-8-47 addressed to the Munr for Law are flagged 'W' & 'X' in the collen c/s 56-47-3,10 placed below on 25-8-47 the Secy of the Assn was informed to meet the Munr along with the deputationists on 11-9-47 at 4 p m the interview did not take place

4) In para 1 of his letter dt 9-8-47 the has merely stated that the Assn has to pay a heavy taxation on lorries and a toll of Rs 2/- for every trip on these and other grounds he urged for payment of enhanced rate of lorry hire His request was not granted and an order accordingly was issued on 8-10-47 'y' It appears these papers with the collen c/s 56-47-3, to 10 placed below will be passed on to the municipal Branch for refee and return of the collen when done with

(Instructions obtained) 4/8

4/7/2 Thy 10/2

(Asst Secy) LSG(R) 10/2

5) For perusal. This will be returned by 8/10/2 for to the Asst Secy please bring up

Returned 14/10/47

423/M U7673/48

6) Sukla writes a dft forwarding the petition & an acknowledgement to the party for effl.

Legro/2468 Pr 23-2-48

7) Appe

24/2/48

L 15500

3-4-48

25 FEB 1948

To,

The Deputy Commr Shimoga Dt

No L15491/3-4-48

Calls for a report

Susn

13/4/48

Further Representation of 16 us from the Secretary of the Lorry owners Association on the matter

8) Minister's orders

Call for the Report of the D e Shimoga on the matter, and he has opinion

(sd) R e

3 6 48

Dft Cctr to the D e. Shimoga Dt

pnd—cp

Hp 22/6 Pr 23-6-48

9) Appe attnr

24 6 48

To

The Deputy Commissioner

Shimoga District

L No L 18183 d 26 6 48 —

Calls for certain report

Exemption of Municipal Tolls for lorries carrying Govt food grains — 7673 [2658

From The Deputy Commissioner
Shimoga District

Letter No F2 ME 90/47-48 d 3rd Oct 48 —

Furnishes the information called for

10) The DC shimoga states that the HE President shimoga in opinion that only, the vehicles owned by the Govt and used for conveying Govt property are exempted from payment of HE Tolls and the vehicles hired from private individuals are liable to pay Tolls since the owners make profit

11) It is also stated that no such Toll is levied on lorries conveying food grains belonging to Govt in other districts like Bellary Tumkur, and Hassan

12) Copies of the M M V and R T Act are put up and flagged —

13) The DC States that the contention of the HE President does not hold good as the vehicles used for conveying the food grains Govt property are exempted — and the president has been requested to discontinue the procedure by the DC

Exemption of Tolls on bridges carrying the 2658 food grains —

14) of approval this will be filed

Dr
5/14

15) The report received from the D.C. Shimoga is sent for perusal, with reference to the Minister's order at para 8 supra

We do not interpret that the bridges (whether private) carrying food grains belonging to the Govt need not pay any toll to the Shimoga Tm

It is correct, as it is covered by proviso cl (c) of section 61 of the Bijapur Town Police Act 1933. Since Letters reported that before reporting the matter of levying the toll on the municipal President to discontinue such levies, no action is called for

An endorsement will also be issued to the Secretary of the Shimoga District Lorry Owners' Association to the

U.S.S./(M

effect that necessary instructions have been issued to the M/I authorities in this behalf

for personal order, reference

OFFICE OF THE MINISTER FOR LOCAL SELF GOVERNMENT
No S/2874
Date 9/12

Rewsey / for 7/12/48

10) I agree with the above note

16/12

Recommended L.S.S. 8

11) yrs 15/12/48

18) 8 9/12/48

19) 16/12

20) Sub with an Endorsement to the Secty Home Affairs — refer to paras 17 Supra —

Ok. 17/12

Rewsey 20/12/48

Do,
The Secy Local Govt & Urban Affairs
No 7416/6-1-48
Issued

D 24/11/48

SHIMOGA DISTRICT LORRY OWNERS' ASSOCIATION

President
Hananjappa Esq M A LL B No 2

THE MINISTER FOR CITY MUNICIPALITIES AND PANCHAYATS
No T 281/1947-48

SHIMOGA 28th December 1947

to 38/12/48

To,

The Hon'ble Minister Municipalities &
for ~~Revenue & Communication~~ in Mysore

Bangalore

DEPT. & REV. SECRETARIAT 4231 21 JAN 1948 L S G BRANCH

Respected Sir,

Subject - Abolition of Municipal tolls on vehicles carrying Government Food Grains

On a representation made in person on 20th of August'47 regarding the improper levy of tolls on Shimoga Town Municipality and praying for abolition of same as per rules, the then Minister was kind enough to say that favourable orders will be passed in view of the facts ours was a just cause

2e 12/1/48

A copy of concerned paper explaining the case as addressed originally is enclosed herewith for kind reference

We pray that if necessary another date and time may kindly be given to us for an interview to discuss the above subject for favour of early redress

Thanking you for an early reply

The Minister for LSG
W.P.

Yours faithfully,
For The Shimoga Dist Lorry Owners

Enc 1 10/1/48

SECRETARY

OFFICE OF THE MINISTER FOR LOCAL SELF GOVERNMENT
No 651
Date 17/1

17/1/48

True copy of letter dated 9th August 1947

The lorries of the members of our Association were commandeered for transporting of Food Grains by 22-6-1943 and they have been working only for this purpose suspending all their private business and thus sacrificing their personal earnings

Up till March 1946 no toll was collected by the Shimoga Town Municipality from the lorries which conveyed Food Grains of the Government Department As per the Town Municipal Regulation of 1933 Clause(c) of chapter VII which reads as " No tolls shall be leviable in respect of any vehicle used for the passage of troops or the conveyance of the property of His Highness the Maharajah or His Highness the Yuvaraja or of Government Stores or of any other Government property or for the passage of Military or Police Officers on duty or the passage of conveyance of any person or property in their custody" we are not liable to pay tolls when carrying Government Food grains When this matter was brought to the notice of the Deputy Commissioner, he was pleased to order that no tolls be paid on vehicles carrying Government grains and that we may apply for refund of the tolls wrongfully collected

Inspite of such an order tolls are still being collected and when we applied to the President, Town Municipality, we are unable to get a proper reply

As the fixture of rates for transporting the Food stuffs was done without contemplating these extra expenditure, our members aresuffering a great loss on this score as they are madeto pay a sum of Rs 2/- on trips involving even 10 miles distance

Therefore we pray that this levy which is not justifiable may kindly be removed on such or those trips which carry Government Food Grains "

29/Aug

Appendix F G—11 No 4

SUBJECT

Diary No of letter replied to 4231

General and Revenue Secretariat

( )

the *19*

Date of issue 3-4-48

Signed by

If please furnish copy of letter dt 28 12 47 with its enclosure (Blue S&T)

List of enclosures

Copied by

Examined by

Section

File No

Serial No

No 15-490/

To

The Deputy Commissioner

Shimoga District

Sir,

In forwarding herewith a copy of letter dated 28-12-47 from the Secretary, Shimoga District Lorry Owners Association Shimoga together with its enclosure re abolition of municipal tolls on vehicles carrying ~~fuel~~ food articles for the Govt Food Supplies Department I am directed to request you to send a report in the matter at an early date

I have etc

for

Secretary to Govt

WD 06865—GPB—8 000—9-8-47

by 20/2/48

THE SHIMOGA DISTRICT LORRY OWNERS' ASSOCIATION

Mh 89-48-3

Presiden
B R Puttananjappa Esq M A LL B

SHIMOGA 1st June 1948 194

REVENUE SECRETARY ... 14/6 ... GOVT OF MYSORE

GENERAL & REVENUE SECRE... 7073 15 JUN 1948 ... MUNICIPAL BRANCH

OFFICE OF
THE MINISTER FOR
LOCAL SELF GOVERNMENT
To
No 1979
Date

The Minister for Local Self Government,
General and Revenue Secretariat,
BANGALORE

Sir,

Subject

Subject Abolition of Municipal tolls on vehicles carrying Govt Food grains, and refund of tolls collected so far

---

We have not ~~further~~ heard from your goodself subsequent to your endorsement No Munl 15500 dated the 3rd April 1948, in the above matter As the same has worked untold loss on the poor lorry-owners in these hard days, we shall feel highly obliged if your Honour could kindly consider the case and pass favourable orders very early

Awaiting your reply and thanking you

Yours Obediently,
for The Shimoga District Lorry
Owners' Association,

Secretary

Rev Secy)

Call for the report of the D C Shimoga in the matter with his opinion

A

3/6/48

14/6

No. L. 1883
26-6 W

To
The Dy Commr
Shimoga District

Sir In continuation of this office
letter no L 15490 d/3 4 88 I am directed to forward
with a copy of a letter
dated 1 6 88 received from
the Secretary the Shimoga District
Lorry owners Association requesting
Cancellation of Municipal toll
on vehicles carrying Goat
Hoof grains and for refund of
the amount so far collected
and to request to You to

Forensic Report in the
case of Inspection thereon
in week

I have the
honour to be
Sir
Your Obedient Servant
[illegible]
22-6-45

Deputy Commissioner's Secretariat

No. [illegible] Office of the [illegible],
Shimoga District,
Shimoga, dated 21st September 1948

To

The Secretary to Government,

Sir,

Subject - Exemption of Municipal Tolls for lorries carrying Government Food Grains

--

With reference to your letter No. L 15/99/ dated 3rd April 1948 on the above subject, I have the honour to state that under section 98 M.M.V. and R.T. Act notwithstanding anything in the Bangalore City, Town and Minor Municipalities Act no municipal Council shall levy a toll on Motor Vehicles or a toll on such motor vehicles or goods exempted from payment of Municipal tolls under this Act or the rules made thereunder.

Under Clause (V) of exemption issued under Section 98 M.M.V. and R.T. Act (Amended IX M.M.V. and R.T. Rules 1945) goods vehicles plying for hire are not exempted from payment of Municipal Tolls.

Under Section 61 (XIV) (C) of Town Municipal Act of 1933 no toll shall be leviable in respect of any vehicles used for conveyance of the property of Government stores or of any other Government property. The Municipal President, Shimoga has consulted in the matter and is of opinion that only the vehicles owned by the Government and used for conveying Government property are exempted from payment of Municipal Tolls and the vehicles plying from private individuals, though they convey food grains on commission to Government are liable to pay tolls since the owners make profits.

As there is not sufficient number of lorries owned by the Government in the Food Department, the lorries belonging to private individuals are engaged for transport of food grains on commission to Government. The contention of the Municipal President that only the vehicles owned by Government engaged for conveying Government property are exempted from payment of Tolls does not hold good as it is clear that any vehicles used for conveying the property of Government stores or of any other Government are exempted

At present the [illegible] which have objected to [illegible] by Government [illegible] A reference was also made to other Districts to ascertain the practice in force and the charges collected for the Deputy Commissioners of Bangalore Tumkur & Kolar Districts also that no Municipal Toll is levied on bullocks carrying food grains belonging to Government

Under the circumstances, I am of opinion that the Municipal Council cannot levy any toll on the vehicles which carry food grains belonging to Government, under a written authority from competent authority in this behalf The Bangalore Municipal Council may be requested to discontinue the practice of levying the Municipal Tax on such bullocks

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner
District Magistrate,
Shimoga District

41: 16-1-49 4 copies 9

The Secretary
The Shimoga } Lorry owners Association
Shimoga

Fwd

Endorsement. Mh 89-48-3

In reference to your application No — dated 1st June 48 requesting abolition of the municipal toll on lorries (No. of permits) carrying stone grains belonging to Govt. and I am directed to state that the matter has been examined and the Deputy Commissioner Shimoga Dist has been requested to issue instructions has issued necessary instructions to the President of the Shimoga Town Municipality to discontinue the collecting the toll on such lorries —

Yours faithfully
for GI Subjt to Govt

Endt No 473 Dated 6-1-49

Copy of the above is forwarded w/c to the Deputy Commissioner Sylhet D.St with reference to his letter No T2 RE 90/47-48 d 3rd Sept 48 addressed to the General Subjt to Govt [illegible] TO [illegible] Thumbprint for signature

B O

for GI Subjt to Govt

L 7345 6-1-49

The

To General Department

The Secretary,
The Shimoga District Lorry Owners' Association,
Shimoga.

Sir,

With reference to your ~~letter~~ application No. nil dated 1st June 1948 requesting abolition of the munrapal tolls on lorries (though private) carrying food grains belonging to the Government, I am directed to state that the matter has been examined and the Deputy Commissioner, Shimoga District, has issued necessary instructions to the President of the Shimoga Town Municipd Courcil to the discontiruance of the levy of the municipal toll on such lorries.

Yours faithfully,

Secretary to Government,
General Department.

Memo No L7316-7 dt 6-1-49

Copy of the above is forwarded, with compliments,

to the